

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STANDARD READY MIX CONCRETE)
and LUDEY'S READY MIX,)
Plaintiffs,) 8:07CV22
vs.) ORDER
LOCAL NO. 554 INTERNATIONAL)
BROTHERHOOD OF TEAMSTERS,)
Defendant.)

This matter is before the court on the defendant's Motion to Compel Responses to Interrogatories and to Compel Responses to Motion to Produce (Filing No. 33) and Motion to Determine Sufficiency of Responses to Requests to Admit and Plaintiff's Objections (Filing No. 34). The defendant filed the two discovery-related motions on September 13, 2007. On September 24, 2007, the parties entered into a stipulation for the plaintiffs to be allowed additional time to supplement their discovery responses before the defendant's motions were resolved by the court. **See** Filing No. 36. The court adopted the stipulation and stayed resolution of the motions. **See** Filing No. 37. The plaintiffs supplemented discovery on or before October 12, 2007, in accordance with the parties' stipulation. **See** Filing No. 46. The defendant has not since pursued the earlier filed discovery motions. Accordingly, the motions will be denied without prejudice.

IT IS ORDERED:

1. The defendant's Motion to Compel Responses to Interrogatories and to Compel Responses to Motion to Produce (Filing No. 33) is denied, without prejudice.
2. The defendant's Motion to Determine Sufficiency of Responses to Requests to Admit and Plaintiff's Objections (Filing No. 34) is denied, without prejudice.

DATED this 6th day of November, 2007.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge